

FILED

**United States District Court
Northern District of California**

AUG 4 - 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES OF AMERICA

v.

JOE L. SCOTT, JR.

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)
(For Offenses Committed On or After November 1, 1987)

USDC Case Number: CR-07-00700-001 WDB

BOP Case Number: DCAN407CR000700-001

USM Number: 90414-111

Defendant's Attorney: Joyce Leavitt, Assistant Federal Public Defender

THE DEFENDANT:

- ☒ admitted guilt to violation of the conditions of his probation as described in Charges One and Three on the Petition for Summons for Offender Under Supervision filed on June 19, 2009.
- ☒ did not admit guilt to the violation of the conditions of his probation as described in Charge Two and the Court made no findings as to whether he violated the conditions of his probation as described in Charge Two on the Petition for Summons for Offender Under Supervision filed on June 19, 2009.
- ☐ was found in violation of condition(s) ___ after denial of guilt.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offenses:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Occurred</u>
One	Violation of special condition that he shall pay restitution in the amount of \$1,000.00 in monthly installments of \$50.00 to the General Services Administration	On 2/19/08, defendant signed a payment agreement to pay \$50.00 toward his restitution; to date, he has not made any payments
Three	Violation of standard condition that he submit a truthful and complete written report within the first five days of each month	On 3/3/09, defendant submitted past due monthly supervision reports for the months of Aug. 2008 to Jan. 2009; he has failed to submit monthly supervision reports for the months of Feb. to May 2009

In open court on July 27, 2009, the defendant admitted that he violated the conditions as described in Charges One and Three on the Petition for Summons for Offender Under Supervision filed on June 19, 2009. Based on his own admission, the Court found that the defendant violated the conditions of his probation pursuant to Title 18, United States Code Section 3565.

<u>Underlying Matter Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>
Title 18, U.S.C. Sec. 641	Theft of Government Funds	On or about & between Jan. 2006 & Sept. 2006

DEFENDANT: JOE L. SCOTT, JR.
CASE NUMBER: CR-07-00700-01 WDB

Judgment - Page 2 of 2

The defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

[] The defendant has not violated condition(s) and is discharged as to such violation(s) condition.

It appearing that the defendant, who was convicted on January 8, 2008 (Judgment filed on January 16, 2008) in the above styled cause and was placed on Probation for a period of Two (2) years [Terms of supervision was modified on March 10, 2008], has violated the terms of probation. IT IS HEREBY ORDERED AND ADJUDGED that the defendant's probation be **MODIFIED**. The defendant must comply with all the terms and conditions of his probation that the Court had previously imposed with this modified condition:

1. The defendant must pay restitution in the amount of One Thousand Dollars (\$1,000.00) [less payments, if any, already made by the defendant] to General Services Administration (GSA). The defendant shall pay restitution in monthly installments of Twenty Five Dollars (\$25.00). The defendant must pay his first monthly installment of Twenty Five Dollars (\$25.00) **sometime in the first five days of August, 2009**; thereafter, payment is due sometime in the first five days of each month as directed by the United States Probation Officer. The restitution payments shall be forwarded to the General Services Administration (GSA) through the Clerk of the United States District Court, Atten: Financial Unit, 450 Golden Gate Avenue, Box 36060, San Francisco, CA 94102.

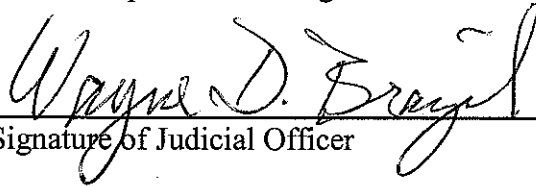
IT IS FURTHER ORDERED that the defendant must appear before this Court on August 6, 2009 at 10:00 a.m. for a Status Hearing.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until the restitution imposed by this judgment has been fully paid.

Defendant's USM No.: 90414-111

July 27, 2009

Date of Imposition of Judgment


Signature of Judicial Officer

WAYNE D. BRAZIL, United States Magistrate Judge
Name & Title of Judicial Officer

8-4-09
Date